



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KIMBERLY H. WHITE,
Plaintiff,
v.
NANCY A. BERRYHILL, Acting
Commissioner of Social Security,
Defendant.

Case No. 8:18-cv-01954-CJC-MAA

**ORDER TO SHOW CAUSE WHY
THIS CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE OR TO COMPLY
WITH COURT ORDER**

Kimberly H. White (“Plaintiff”) filed a complaint seeking review of the final decision of the Acting Commissioner of the Social Security Administration. (ECF No. 1.) With her complaint, Plaintiff filed a request to proceed *in forma pauperis*. (ECF No. 2.) On November 6, 2018, District Judge Cormac J. Carney denied Plaintiff’s request to proceed *in forma pauperis* for inadequate showing of indigency. (ECF No. 5.) Judge Carney ordered Plaintiff to pay the filing fees in full within 30 days or face dismissal of the action. (*Id.*) Over 30 days have passed since Judge Carney’s order, and Plaintiff has yet to pay the filing fees in full.

District courts have the inherent authority to dismiss actions for failure to prosecute or to comply with court orders. *See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962) (courts have power dismiss for lack

1 of prosecution to prevent undue delay in the disposition of pending cases and to
2 avoid congestion in court calendars); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th
3 Cir. 1992) (district court may dismiss action for failure to comply with any court
4 order).

5 Plaintiff has not timely complied with the Court's order requiring her to pay
6 the filing fees in full. Further, Plaintiff has not submitted anything to the Court
7 indicating that she wishes to proceed with this action given the Court's order
8 denying her *in forma pauperis* status. Plaintiff is **ORDERED TO SHOW CAUSE**
9 no later than **February 7, 2019** why this action should not be dismissed for failure
10 to prosecute or to comply with the Court's order of November 6, 2018. This order
11 to show cause will be discharged automatically if Plaintiff pays the filing fees in
12 full on or before February 7, 2019. Failure to respond to this order may result in a
13 recommendation from the undersigned Magistrate Judge that this case be
14 dismissed.

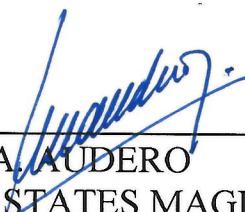
15 IT IS SO ORDERED.

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17 DATED: January 7, 2019

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21 MARIA A. AUDERO
22 UNITED STATES MAGISTRATE JUDGE

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